

does not teach a natural sponge member formed on a roller tube and having natural sponge protrusions. He relies upon Tramont in this regard contending in paragraph 5 that Tramont provides roller medium either as a separate blank material (contending that means the material is cut to a predetermined thickness and/or shape) or a continuous blank material (contending that the blank material is therefore from a raw sheet material that is not being cut), and at least implies that such teachings are applicable to a natural sponge member. Respectfully, such an implication is contrary to what Tramont in fact teaches.

More particularly, the only places where Tramont refers to a blank material, whether separate or continuous, is with respect to compacted sheet medium. Specifically, Tramont refers to categories of the blank material: (a) under the heading "Compacted Sheet Medium-Generally", such as at column 5, lines 1-6, (b) under the heading "Compacted Sheet Medium-Non-Porous Sheet" at column 5, lines 56-66, and (c) under the heading "Compacted Sheet Medium-Porous Sheet" at column 5, lines 27-49. In each one of these categories, the sheet medium is not sponge medium. When Tramont does refer to sponge medium, he does so only with respect to the category "Sculptured Sponge Medium", at column 8, line 59-column 9, line 46. Tellingly, Tramont does not mention blank material at all in the category of sculptured sponge medium, whether formed from natural sponge material or synthetic sponge material (column 8, lines 60-62). Thus, while Tramont's compacted sheet medium may be cut to a predetermined thickness, the sculptured sponge medium is, in fact, not cut to a predetermined thickness. See, in this regard, column 9, lines 18-22, of Tramont where he states:

"The sponge material 70 is preformed so that the outer medium 24, in its relaxed state, has a sculptured outer surface with a height above the roller core which varies (emphasis added) between a minimum height of approximately 1/8 inch and a maximum height of approximately 1/2 inch or more."

Tramont is careful to distinguish between compacted sheet medium and sculptured sponge medium. See column 4, lines 62-67, where he specifically refers to appropriate captions to describe of these mediums. (Tramont's reference to "combined medium" is irrelevant to the present discussion as that concerns an outer layer of non-

porous material; see column 9, lines 48-53.). Accordingly, the Examiner's discussion of separate or continuous "blank material" is irrelevant to the issue of whether Tramont adds to the disclosure of Serwer because the only time Tramont refers to such blank material is when referring to the same type of materials found in Serwer. When Tramont refers to materials of the type used by Applicant, he studiously avoids referring to them in any manner that could imply a predetermined thickness; indeed, he teaches directly away from a predetermined thickness by calling for the sculptured surface of the sponge material to have a variable height above the roller core from 1/8 inch to 1/2 inch or more. Thus, rather than leading one to Applicant's invention, Tramont leads one directly away.

In paragraphs 6 and 7 of the Office Action, the Examiner states two propositions which are not supported or supportable, namely, that the preformed shape is equivalent to a strip as claimed and that Tramont teaches the wrapping of a preformed shape spirally around the elongated core stock. The first proposition, that a preformed shape is equivalent to the claimed strip, is totally conclusory and has no support any place in Tramont.

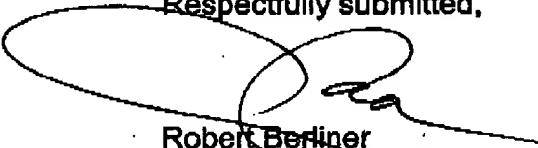
Second, if the Examiner means to imply that any teaching by Tramont of spirally wrapping a preformed shape around core stock is applicable to Tramont's category of sculptured sponge medium, he is, respectfully, wrong. Tramont refers to spiral wrapping in only two locations, one of which is with respect to compacted sheet medium (column 5, line 18), the other with respect to what Tramont refers to as the combined medium wherein a non-porous surface area is spirally wound around the base layer (column 10, lines 23-31, at 31).

Applicant believes the Examiner is inappropriately using selected portions of Tramont to impute limitations having nothing to do with sculptured sponge medium to that medium. As stated in Tramont's Abstract, he provided three distinct embodiments, one being a compacted blank material, a second being a sponge with sponge-like material, and a third being porous material having an outer surface of non-porous material, and then treats these categories separately. In a sense, they can be considered respectively as Tramont I, Tramont II, and Tramont III. The Examiner has taken the teachings of Tramont I and imputed them to the teachings of Tramont II.

Since it is only Tramont II that deals with a sculptured sponge medium, it is only Tramont II that should be combinable with Serwer to buttress Serwer's disclosure. However, when that is done, it is evident that rather than buttressing such disclosure, Tramont II teaches away from such a combination, in particular away from a combination of claimed limitations calling for cutting the sponge material into pieces of predetermined thicknesses and connecting a piece of the sponge member to the base material to form a strip assembly.

Applicant respectfully requests the Examiner to reconsider his position and to allow the claims. A Notice of Allowance is respectfully solicited.

Respectfully submitted,



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